

PORZIO, BROMBERG & NEWMAN

A PROFESSIONAL CORPORATION

Practice Limited to Litigation and Environmental Law

COUNSELLORS AT LAW

163 MADISON AVENUE
MORRISTOWN, NJ 07962-1997
TELEPHONE (201) 538-4006
FAX (201) 538-5146

655 THIRD AVENUE (SUITE 900)
NEW YORK, NY 10017-5617
TELEPHONE (212) 986-0600
FAX (212) 986-6491

STEVEN P. BENENSON **
ROBERT J. BRENNAN
LISA MURTHA BROMBERG
MYRON J. BROMBERG
D. JEFFREY CAMPBELL
THOMAS R. CHESSON
ROY ALAN COHEN
ALEXANDER J. DRAGO
LAUREN E. HANDLER
EDWARD A. HOGAN
ANITA HOTCHKISS
KENNETH R. MEYER
JOHN M. NEWMAN
HOWARD J. SCHWARTZ

RETIRE
RALPH PORZIO

COUNSEL
STEWART A. CUNNINGHAM
CHARLES E. ERWAY, III
THOMAS SPIESMAN
MITCHELL I. WEITZ +

ANNE F. BARETZ
CRAIG B. BLEIFER
CHRISTOPHER P. DEPHILLIPS *

CARINEH S. DOVLETIAN
PETER A. DRUCKER
ANDREW S. EPSTEIN
FRANK FAZIO
BRIAN T. FLANAGAN *
JOHN M. IX
VANESSA M. KELLY
JONATHAN M. KORN
WILLIAM A. KRAIS
JONATHAN R. KUHLMAN
CONNIE A. MATTEO
JAY R. McDANIEL
JUDITH A. McDONOUGH
RANDI N. POMERANTZ
CYNTHIA D. RICHARDSON
DAVID S. SAGER **
DIANE M. SIANA
CHARLES J. STOIA
MORNA L. SWEENEY
MICHAEL M. TINGOLI
STEPHEN L. WILLIS

N. J. & N.Y. BARS
* N. J. BAR ONLY
+ N.Y. BAR ONLY

August 1, 1995

VIA TELECOPY AND REGULAR MAIL

Norman A. Spindel, Esq.
Lowenstein, Sandler, Kohl, Fisher
& Boylan
65 Livingston Ave.
Roseland, NJ 07068

Re: Napp Chemical Company
Health and Safety Concerns
Our File No. 3597.24046

Dear Norm:

It has been brought to our attention by GEO Engineering, the environmental consultants conducting the ISRA Remediation on the Fine Organics property on behalf of Hexcel, that dust and odor emissions are from time to time emanating from the Napp property. These constitute a health and safety concern that must be addressed.

Steve Abrusia, the project engineer who is frequently on site, specifically noticed dust/odor emissions on June 8, June 30, and July 10, 1995. These appeared to have been emanating from the Napp site. The odor is much like the odor in the pit in Building 1 after it filled with the green water which flowed into Building 1 after the April 21 explosion. On the first two occasions he experienced coughing attacks that lasted for several hours after he

PBNNJ-76154.1

SDMS Document



88280

Norman A. Spindel, Esq.
August 1, 1995
Page 2

left the site. The problem appears to vary depending upon the weather and what work is being done at Napp. Although it is not constant it is repetitive. Any information, including why these emissions happen and when we should anticipate them would be useful.

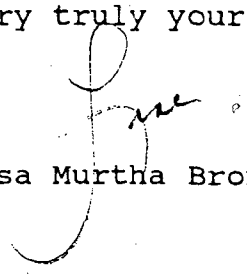
To take the necessary precautions and to adjust the site Health and Safety Plan it is necessary that Napp provide data concerning the nature of this dust and odor condition as soon as possible. In addition, of course, it is also necessary that every effort be made to stop this condition immediately.

We understand that an air monitoring device exists at the edge of Molnar Road next to the Fine Organics property. Information from this air monitor would be most useful.

Finally, we have also been advised by GEO Engineering that there is on-going seepage of the green-tinged water first detected immediately following the explosion in the basement of Building 1. This seepage is entering Building 1 through the steam tunnel. We would request that Napp take immediate steps to stop this continuing problem as well. More specifically, we would ask that Napp seal the steam tunnel as soon as possible and that GEO Engineering be advised as to when and how this work will be conducted. We would also request that they be allowed to observe the results. Providing that information to GEO Engineering in advance may allow it to provide assistance given their familiarity with the area.

We look forward to your swift response.

Very truly yours,


Lisa Murtha Bromberg

LMB/cad